IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 397 OF 2006

Yadavrao T. Gosavi ... Petitioner

Versus

The Sub Div. Officer ... Respondents

Ms. Manali Patwadhan i/by Ajay Misar & Co. for Petitioner.

Mrs. M.P. Thakur, A.G.P. for Respondents.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : FEBRUARY 23, 2006

P.C.

. The Petitioner had filed Original Application before M.A.T. being O.A. No. 254 of 1991. That came to be dismissed on 20.1.1994. From the order of M.A.T. it is clear that the services of the Petitioner were terminated on 23.3.1983. The Petition was filed only in the year 1991. He was appointed on 1.4.1982. On 23.3.1983 he was reverted to the post of unpaid candidate and his services were terminated on 15.4.1988 and an application for reinstatement which was filed by him was rejected. At the time when he was

appointed, it appears that there was a criminal case filed against him for the offence under Section 409 and he was convicted by the trial court. Ultimately it appears he was acquitted. In so far as acquittal is concerned, the tribunal found that the acquittal was not honourable. Apart from that the tribunal also noted that though the order of termination was dated 23.3.1983, the petition was filed only in the year 1991. On that count also, dismissed the O.A.

. Though O.A. was dismissed on 29.1.1994, the petition was filed only in the year 2001 and registered in the year 2005. The cause shown for approaching this court after six years, in our opinion would not amount to sufficient cause to explain the laches. Petition was not moved apart from that for four years. In the light of that, no case for interference. Petition rejected.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)